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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/565,934

01/20/2006

Marion Kornelia Matters-Kammerer

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NXP, B.V.

NXP INTELLECTUAL PROPERTY DEPARTMENT

M/S41-SJ

1109 MCKAY DRIVE

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EXAMINER

LEE, BENNY T

ART UNIT

PAPER NUMBER

2817

NOTIFICATION DATE

DELIVERY MODE

03/05/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.department.us@nxp.com

Office Action Summary	Application No. 10/565,934	Applicant(s) MATTERS-KAMMERER ET AL.	
	Examiner Benny Lee	Art Unit 2817	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-3 and 5-31 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

This application is in condition for allowance except for the following formal matters:

In the Specification:

35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms which are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or verbose terms used in the specification are: Page 1, line 3, "in which substrate" should be rephrased for idiomatic clarity. Page 2, line 12, "to very many" should be rephrased for idiomatic clarity by deleting "very". In the replacement paragraph to page 3, line 19, 6th & 7th lines therein, note that "Or it" should be rephrased for grammatical clarity.

The disclosure is objected to because of the following informalities: Page 4, line 27, note that "which assume them" is vague in meaning and needs clarification; line 28, note that "frequency is laid down" is vague in meaning and needs clarification. Page 10, lines 6, 21, should --, respectively-- follow "96" (line 6) & "directly" (line 21), respectively for an appropriate characterization? Clarification is needed. Appropriate correction is required.

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The detail description needs to provide a corresponding description for the following: the thickness being smaller than one fifth the width as recited in claim 5; the working frequency of above 400 MHz recited in claim 11; the respective value of k being at least 50% of the sum as recited in claim 13.

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In the Claims:

The following claims have been found to be objectionable for reasons set forth below:

At the following instances in the following claims, --of the at least one arrangement-- should be inserted after the respective occurrence of “conducting track structures”: claim 1, last line; claim 2, line 2; claim 3, line 3; claim 9, line 4; claim 12, last line; claim 13, last line; claim 17, last line; claim 21, last line; claim 22, last line; claim 23, line 4; claim 26, last line.

In claim 2, line 2, note that --opposed-- should be inserted prior to “conducting” for consistency in claim language.

In claim 3, line 3, note that “at least” should be deleted to render the claim as having consistent claim terminology.

In claim 5, lines 3, 4, note that “is smaller than one opposed conducting track structures of the at least one arrangement” should be deleted since such a recitation appears to be a redundant and thus unnecessary.

In claim 23, lines 1, 2, claim 24 & claim 27, line 1, note that --element-- should be inserted after each occurrence of “resonator” for consistency with the recitation of claim 1, from which this claim ultimately depends.

Comments:

Regarding the various objections regarding language and wording which appears to be grammatically and/or idiomatically inappropriately, while such terminology is reasonably understandable, the examiner nonetheless suggests that such language and wording be rephrased as to improve readability. Regarding the specification objection to terminology as being vague and indefinite, the examiner reiterates that such terminology is not well understood. For example,

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the recitation of “which assumes them” is not understood as to what feature is assuming what characteristics and needs clarification. Similarly, it is unclear in what manner a “frequency” can be considered to be “laid down”. Finally, the use of the terminology --respectively-- would be appropriate since the recited “coupling” affects each set of track members (i.e. 93, 94) & (95, 96).

Regarding the lack of description of certain claim terminology, it must be noted that contrary to applicants’ assertion, the claimed recitation of the “working frequency” being “above 400 MHz” (i.e. claim 11) and the parameter “*k*” being 50% of the sum of various parameters (i.e. claim 13), respectively still appear to lack corresponding descriptions in the specification. It should be noted that the portions of the specification pointed out by the applicants’ in support of these limitations do not appear to actually provide the corresponding support these claimed limitations. Additionally, the limitation of the thickness being smaller than one fifth of the track width (i.e. claim 5) also appears to lack a corresponding description in the specification and thus such claimed limitation needs to be added to the specification.

Finally, with respect to the objections to the claims, it must be noted that the suggested addition of --of the at least one arrangement-- merely would provide consistency in claim terminology through out the claims.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Claims 1-3, 5-31 are allowable over the prior art of record.

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Any inquiry concerning this communication should be directed to Benny Lee at telephone number 571 272 1764.

**/BENNY LEE/
PRIMARY EXAMINER
ART UNIT 2817**

B. Lee